

## ILL FROM TRICHINOSIS, FAMILY SUES PACKERS

Rich Manufacturer Also Brings Action Against Armour & Co. on Charge of Negligence.

**\$25,000 TOTAL DAMAGES**

**Edward C. Heimerdinger Alleges Customers Must Be Protected From Parasite in Pork—Calls Disease Incurable.**

Edward C. Heimerdinger, a rich manufacturer of women's costumes, has brought suits against Armour & Co., the Chicago packers, demanding damages, on the ground that Mrs. Heimerdinger and their three children were infected with trichinosis through eating diseased pork on the market by the Armour firm.

Five different actions have been brought in the United States District Court, Mr. Heimerdinger said yesterday. The papers were filed with the clerk on Saturday. The Heimerdinger family is represented by Charles Dushkind, and each member of the family demands \$5,000 damages.

The action of Mr. Heimerdinger, who was not affected directly, was brought for loss of the services and association of his wife, while Mrs. Heimerdinger and each one of the three sons sued for damages and amounts expended for medical care.

**Ill Twelve Weeks.**

The pork was consumed by the family on January 1, and not long afterward symptoms of trichinosis developed. For twelve weeks Mrs. Heimerdinger and her sons remained under medical care until the acute stage of the disease was subdued.

"They are not cured and never can be," said Mr. Heimerdinger. "I have been informed by the medical authorities that trichinosis is incurable, and that there is no telling when another acute outbreak may come."

Mr. Heimerdinger made it plain that he would not rest until measures had been taken to minimize the danger of such infections in more certain manner than by leaving it to the consumer to have his pork cooked long enough to sterilize all trichinae that might be in it. He is a director of the George C. Heimerdinger Company, of No. 137 Madison avenue, and lives at No. 77 East 89th street.

Before the suits were brought Mr. Heimerdinger communicated with Armour & Co. in a desire not to press the matter if the packers should show they had taken all possible precautions to protect customers. A letter to this effect, written by Mr. Dushkind, brought a reply from the counsel for Armour & Co., which said in part:

"Trichina, as you know, is a parasite common to pork, and can be detected only by a microscopic examination, which, of course, we do not make. We might say that your general information that a hog infected with trichina appears just as healthy as one not infected, and the presence of such parasite cannot be detected from any ordinary observation of the hog alive or the customary post mortem examination. The Bureau of Animal Industry some years ago made quite an extensive study of this subject, with a view of making an inspection of the carcasses of hogs, and it was found that in so few carcasses, the expense of making microscopic examinations of every carcass would be far in excess of any good derived from such examination."

**Negligence in Issue.**

Although based on the meat inspection law the actions brought in the federal court rely upon the common law more than existing statute. The principal allegation of the complaints is negligence on the part of the packers in protecting consumers. On this score each complaint says:

"It is a matter of common knowledge, and the defendant well knows, or in the exercise of ordinary care, should have known, that hogs or swine are frequently subject to infection with certain parasites known as trichinae and that the pork of such hogs or swine so infected is unsound, diseased and dangerous to the health and life of persons eating or partaking of same, and that the defendant, by reason of its negligence, has caused the person eating or partaking of same to become seriously sick and ill and infected with a certain disease known as trichinosis, as a result of which his life would become imperiled and endangered. By proper tests and microscopic examinations of such hogs or swine, either before killing, or of the carcasses, thereafter, the presence of such parasite or parasites in the hog can be readily discovered and detected."

The complaints then say that Armour & Co. failed to make proper inspection of the pork shipped to this city.

Mr. Dushkind said his client was determined to carry the case to the Supreme Court of the United States if necessary.

**WILBUR WRIGHT HAS CHANCE**

**Aeroplane Builder, Ill from Typhoid, Slightly Improved.**

Dayton, Ohio, May 19.—Wilbur Wright, the aeroplane constructor, has a "slight chance" to recover, according to Dr. D. B. Conklin. The physician said late yesterday that a slight improvement was noted in Wright's condition.

Dr. Wright has returned to the family home here.

**The Coward Shoe**

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## PRESIDENT'S GIGAWATT, SAYS THE TAFT BUREAU

Renomination Made Certain by 562 Delegates, 22 More than Enough, It Declares.

**"PANIC" IN COLONEL'S CAMP**

**Chicago Convention Will Adopt a "Safe, Sane and Recognizable Republican Platform," Says Statement.**

(From The Tribune Bureau.)  
Washington, May 19.—"President William H. Taft has passed through the crucial test of the contest for the Republican nomination for President and emerges from it in full and undisputed control of the Republican National Convention, which meets in Chicago in June," says a statement issued by the Taft bureau to-night.

"With two district conventions yet to hear from to-day, the President has 562 delegates to his credit, or twenty-two more than an actual majority in the national convention." The statement continues:

"Theodore Roosevelt, on the other hand, forced to face a confirmation of his certain defeat, ends the week with 25 delegates to his credit, or 14 delegates short of a majority in the national convention. The nomination of Mr. Taft is therefore made certain by the action of the delegates to the Chicago convention only 14 delegates to go, so that Mr. Roosevelt's defeat for the nomination is absolutely certain."

"There is no possible political event which will shake the control of that convention by President Taft's delegates. The primaries in Ohio, New Jersey, South Dakota and Arizona will add material strength to President Taft's delegates, and will increase the majority by which he will control."

**Says Opponents Are Chagrined.**

"The President's renomination is assured," the statement adds. "The Republican principles for which he has waged this contest will be written into the national platform of the Republican party. The facts are already recognized and understood by the rank and file of the party everywhere, and only the hysterical vapors of Mr. Roosevelt's campaign manager, naturally chagrined at having lost the battle and striving only to make the defeat as honorable as possible, now rend the air. The band wagon is going by, and they know it; hence their desperate misstatements of fact."

"The whole campaign has been the utter inability of Mr. Roosevelt and his campaign managers to agree on the number of delegates they should claim for Mr. Roosevelt. When it became evident that Mr. Taft on Wednesday last was about to pass into absolute control of the Chicago convention, at Toledo Mr. Roosevelt, with consultation with any one, claimed 601 votes in Washington. Senator Dixon, his campaign manager, claimed only 419. The next day Mr. Dixon came back with another claim, this time of 603 delegates, although only twelve delegates had been elected in the mean time."

**"Claimed Everything in Sight."**

The statement then says that the inconsistencies in the light of honor and sense in the talk of a third candidate evidence of a Roosevelt rout, says:

"These humorous incidents merely indicate to no one that Mr. Roosevelt and his managers have taken the trouble to figure out their exact strength in the Chicago convention. Characteristically, they have taken everything for granted, and serenely trusting in their own infallibility, they have gone on claiming in sight and a good deal that never was in sight. The result has been their own discomfiture, and the exposure of their tactics by their public, which began on Wednesday night and which has now developed into a farce."

The evidence of the utter rout in the Roosevelt camp lies in the fact that they have again and again asked about the number of delegates they should claim, and have been told by the Taft bureau that they should claim for Mr. Taft the number of delegates that he has actually received.

The statement of Mr. Perkins, which was made public at the Roosevelt headquarters, reads as follows:

"I have read Mr. Hill's version of the Harvester matter and fail to find anything in it that in the remotest degree answers the letter of April 29 last to Chairman McKinley."

If Mr. Taft and his managers had at any time meant to be fair and square and to deal with the public in this matter, they would have complied with the Senate's recent request and published in full all that has taken place in regard to the Harvester company during the Taft administration, especially during the last twelve or eighteen months.

The public is being deluged daily with the Taft version of the Harvester matter, and why, but the great question is being taken to keep from the public all that is being said to whether or not Mr. Taft held up Mr. Wickert's suit against the Harvester company, and why.

The public is being deluged with the whole affair would enable the public to form its own judgment and reach its own conclusion. It would also show what Mr. Hill regards as proper favors for a private secretary to a President seeking renomination to ask from his administration, the third term candidate for the Presidency is obliged to say that Mr. Taft, as Secretary of War, was strong enough not only to dominate the entire Cabinet and Mr. Roosevelt himself, but also to shape the policy of the Department of Justice in dealing with the trust question."

The truth is that the men who really dominated Theodore Roosevelt while he was President were George W. Perkins, of the Harvester trust, and Judge Gary and Mr. Prick, of the steel trust. These men got everything they asked at the hands of the Roosevelt administration. Mr. Perkins secured the consent of Mr. Roosevelt, took over the Harvester trust, and made it a part of the steel trust. All this is a matter of record, and is admitted by Mr. Roosevelt himself. His only answer to the charge is: "I did it." In the language of a famous Tammany boss, he might add: "That is you going to do about it."

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for a throbbing, aching bunion, by wearing the COWARD BENSON SHOE, built on the Coward Bunion Last.

## ROOSEVELT, BLAMING THE PRESIDENT, CLAIMS OHIO

Believes State Will Join "Line-Up of the People Against the Powers That Prey."

**SHARPLY CRITICISES TAFT**

**Takes Credit for Bureau of Mines and Says War Secretary "Waffles" in the Brownsville Affair.**

Cleveland, May 19.—"I am entirely satisfied with the last week," said Colonel Roosevelt in a statement to-day. "I believe the people of Ohio are sound, and will place Ohio beside Pennsylvania and Illinois in this line-up of the people against the powers that prey."

Colonel Roosevelt's statement was issued at Mentor, a suburb of Cleveland, where he spent the day with James R. Garfield, ex-Secretary of the Interior. In it he criticized President Taft sharply. Saying that the President had claimed credit for the mining bureau, Colonel Roosevelt asserted that this bureau was established by Mr. Garfield, with the assistance of a commission of engineers. The Colonel added:

"The commission rendered service of inestimable value, and President Taft discredited it by his action. He should have been more interested in it and in a position to talk to the president of the American League has grasped the reins of control tighter than ever and that all the club owners, even though some may not agree with him in his actions in this case, are bound to support him for their own preservation."

**Shibe Sorry for Cobb.**

President Shibe was a little more communicative than Johnson. He said that he was sorry for Cobb, but that he had no sympathy for the Detroit players who had gone out on this strike. The president of the local club declared that such a movement could not but help to hurt the game, and they were only doing their cause more harm than good.

The real crisis of the Detroit situation can be summed up in these few words. Unless the Detroit players apologize by the time for the special meeting on Tuesday, then Ben Johnson will ask for the resignation of the Detroit franchise. He is determined that his organization should be controlled by no other than himself, and President Shibe's remarks only go to show that they blame the Detroit management for the strike as much as they do the players themselves.

**May Revoke Franchise.**

Johnson has the support of the owners absolutely, and, despite the fact that Navin has a new \$800,000 plant at Detroit, he will not stop at anything to enforce his rule, and that, if the owners of that club are not capable of controlling their players and preventing them from making such a farce as they gave yesterday, then they have shown that they are not capable of holding a franchise in the American League.

"I don't blame the boys a bit for what they have done," Mr. Navin was quoted as saying in Detroit last night. "I am glad Mr. Johnson has seen fit to go to Philadelphia. That's the best thing he can do. We'll all get together and have it out. I feel certain the regular team will be on the field for Monday's game."

President Navin was asked if any of the players would be fined or suspended, and he replied, with a smile, "I guess the boys and I will have no trouble getting together."

After the conference adjourned Jennings was white. Navin has not yet arrived in this city and Hughie realizes that his position and the investment of his employer are at stake. Jennings went back to his hotel and sent for Delahanty and talked with him, and then the player who has been doing all of the agitating called the other players into conference.

**Navin's Position Critical.**

What they will do is problematical. They say they will stand pat, but one can hardly credit that. They realize that all the money which Navin has invested may be lost because of their actions, and without the help of the players of other teams they will only be waging a losing fight. They will not only be blacklisted under organized baseball, but the man who is their employer will lose his property as well.

The players will sleep over it, and before the American League meeting gets together it is more than likely that there will be some apologies and the "rebels" will recede from their position. At least, that is the opinion of every one here at midnight, for they can see that Johnson means to have no childlike simplicity in this affair, but that he is the "Big Boss" with a big "B," and that he will run the show; and that, if they do not like his methods, then the sooner they get out of his league the better.

There is no question that every team in the American League has been asked to join in the movement of the Tigers, and at first the more radical element were disposed to show Johnson that they wanted Cobb taken back at once or they would not play. Even the Athletics' camp had mutinied within it. Shrewd Connie Mack, President of the American League, stepped in to this talk when they realized how serious it might become. Mack has never been credited with being loquacious, but in a time like this, when he knew that his opinion would carry much weight, he unburdened himself as never before.

"It is my opinion that the Detroit players have simply flunked and want to strike because they know they are no longer a first class ball club and haven't a chance to ever get up there again," was Mack's comment to his team. "Why, do you believe that if they thought they ever had a chance for the pennant they would take this step? Never. Why, do you think that if the Chicago club had its best player suspended right now for ten days, would they lay down and quit? Never. I tell you these Detroit players wanted to lay down, and it is the opportunity they have been looking for, and they jumped at it as a drowning man would at a straw, and they thought that they could get every ball player in the league to go along. Well, if you men go with them I'll say the same thing about you, for then I know that you have given up hope of leading on top again and are quitting."

Mack meant every word he said to his team, for it was his way of holding them in line, but if it had been Collins and Baker who had been hurt instead of Cobb, and their teammates were determined to seek redress for their suspension without proper investigation it is quite likely that Mack would have found, like Jennings, that he would have been compelled to go out on the lots and gather up a lot of recruits.

**TAFT GETS 6TH ARKANSAS.**

(From The Tribune Bureau.)  
Washington, May 19.—The following telegram was received by the Taft bureau from Pitts Bluff, Ark., to-day:

"The 6th Congress District seems an unstratified delegation, but both delegates are absolutely for President Taft. Instructions were defeated by only one vote."

**CALL GEORGIA CONVENTION FAKE.**

(From The Tribune Bureau.)  
Washington, May 19.—A telegram from Atlanta to the Taft bureau to-day says:

"The Roosevelt convention was a dismal failure. Only 122 men present, of whom 25 counts out of 16 in the state."



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## BASEBALL STRIKE REACHES A CRISIS

(Continued from first page.)

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## MAKES OFFER TO "TY" COBB

**Milwaukee Syndicate Wants Striking Tigers for U. S. League.**

Milwaukee, May 19.—A Milwaukee syndicate to-night wired the "striking" Detroit baseball team, headed by "Ty" Cobb, asking the team to set a price on their services. The syndicate wishes to enter a team in the new United States League, having had an option on a franchise since the league was formed.

The New York Yankees were singularly silent yesterday in regard to the Cobb suspension and the strike of the Detroit Tigers. No member of the team, so far could be learned, attended the meeting in Philadelphia yesterday to talk over plans for forming a players' protective association. Olsen, the third baseman of the Cleveland Naps, who are now in this city, was reported to have been present at the meeting and to have represented the interests of the Yankees.

One of the players on the New York team, when asked about the protective association which may be formed by the Detroit players, replied:

"I have not heard anything about any such organization, except what has been printed in the various newspapers about the country. Up to date I have not been invited to join any association, nor have any of the other men, to the best of my knowledge. As far as any protective body for the ball players is concerned, it is a fact that they have been tried before, but they never have amounted to much, and I have no great degree of faith in the power and strength of the Detroit club movement now."

"What we all favor, however, is proper protection against the vituperous attacks of so-called rooters who go to a game, and who from the shelter of a shady grandstand hurl vilification on the head of the working players who are out in the heat of the sun in day and night, sick or well, and playing the game. We meet them all over the country, at every game, whether played between major league nines or back in the tail and minor sticks. This, however, rests with the owners of the club. If the owners will make and enforce a rule by which any spectator who uses insulting or abusive language to a player will be ejected from the park, and have the police necessary to carry out their law, a lot of this work will stop."

Every player in the league does object to, however, and most strenuously, to this high-handed method of the honorable president suspending a man indefinitely, and often inflicting a heavy fine, without even giving him a fair hearing. This evil, I believe, will be a thing of the past after Johnson arrives in New York and makes his investigation. It is the general opinion of the players that Johnson is looking for an easy way out of the situation, which is without parallel in major league baseball, and that he will announce the length of Cobb's suspension quickly. It is one of the greatest attractions in the game, and as a clean-cut box office proposition is indispensable to his team at the present time.

**TEXAS SWINGS TO TAFT**

**Gives 27 Delegates Out of 32 Elected, Says His Bureau.**

(From The Tribune Bureau.)  
Washington, May 19.—The Texas situation is summarized as follows by the Taft bureau from telegrams received to-day:

President Taft has twenty-seven instructed delegates out of the thirty-two already selected by districts, and Colonel Roosevelt has five to constitute for him, but absolutely unselected. The Roosevelt adherents in a number of districts have fled to the support of Mr. Johnson, but were defeated in the district conventions. These contests have not the slightest merit, and the President's victory is about the most certain of the seven judges of General Sessions, and will probably receive also the votes of the eight delegates-at-large yet to be selected.

The following telegram has been received from Waco, Tex.:

"Great victory for President Taft in the 11th Congress convention, which has just been held in Waco, Tex., a Roosevelt stronghold. The President gets two votes instructed. Falls County primary deserves the credit for the result, but all the delegates stood firm, regardless of the promise of preferment from the Lyon forces."

**FIRE HORSES IN WORK PARADE**

**Department Will Have Large Number of Entries This Year.**

Commissioner Johnson of the Fire Department has informed Mrs. James Speyer, president of the New York Women's League for Animals, that his branch of the service will have a particularly large number of entries this year in the Workhorse Parade, which is to take place Memorial Day.

One old driver, however, who has long been a feature of these parades, will not be in line this time. This is Michael Unlack, who in previous parades has held the reins of a driver for Engine Company 21, and for twenty-nine years was in the Fire Department. Last September, however, he replaced of horses by electric vehicles that he put in an application for retirement, which was granted.

So on May 30 some one else will guide Brentwood and The Abbott, for the department will not permit an outsider to take part in this official exhibit—and Unlack is an outsider now.

**WEATHER FAIR AND COOL**

Washington, May 19.—Temperatures near or above the normal will prevail in the Southern states and generally throughout the Western districts during the coming week according to the weekly bulletin of the Weather Bureau issued to-night.

The weather over the country during the week will be generally fair, except that it will be unsettled, with probably local showers and thunderstorms the first half of the week in the Northern states, as a result of the eastward movement of a disturbance that is now forming in the Far West. No general storm will cross the country during the week.

## 4,200 CONVICTIONS IN A YEAR; 1,300 GO FREE

Samuel Untermyer, However, in Letter to Judge Foster, Hopes Custom Will Be Extended.

**SAYS RESULTS JUSTIFY IT**

**Because He Would Not Listen to Tammany-Crain-Jerome Tilt Recalled.**

In the last twelve months sentence has been suspended in thirteen hundred cases by the Judges of General Sessions, according to a person high in authority, last night.

"In the past year," he said, "there have been something like forty-two hundred convictions, and about one in three of these criminals have escaped, thanks to the practice of most of the judges of General Sessions."

"In many cases habitual criminals have been convicted of a crime only to be turned out of court by one of the judges, to go on with their depredations on society. The situation is disgraceful and alarming, and calls for drastic action."

While this denunciation of the judiciary was being pronounced a letter defending the general practice of suspending sentences was made public. It was written by Samuel Untermyer and addressed to Judge Warren W. Foster. It made no mention of the investigation now being conducted by the Bar Association into the abuse of the system. The letter read:

My Dear Judge: I note with great concern the pending motion to suspend the liberal exercise of the power to suspend sentence in criminal cases. My pronounced view of the situation is that the exercise of the power, especially in favor of first offenders, and even in cases of second offenders for minor crimes, is a release from punishment, as such, to be regarded as a failure of the judicial system. It is always seemed, and still seems, to me that the custom of suspending sentences is too sparingly used rather than abused.

My great anxiety is that the criticisms directed against the judges in this discussion will tend to make them more timid and less independent in the exercise of this important function, which it is so necessary to the welfare of the community that they should use with unflinching judgment.

**Custom Should Be Extended.**

In my view, the custom should be extended rather than restricted. It is a practice practically every poor and unfortunate first offender who can be shown to have character, and a decent and industrious life, and whose offense was induced by unusual temptation or momentary passion, and who is not a habitual offender, should be given a chance to reform. It is a custom which is too sparingly used rather than abused.

A suspended sentence is not a release from punishment, as such, to be regarded as a failure of the judicial system. It is a custom which is too sparingly used rather than abused. It is a custom which is too sparingly used rather than abused. It is a custom which is too sparingly used rather than abused.

The misdeeds of criminals are breeding houses of crime for those who would not otherwise become criminals. Many times criminals are made within the walls